SINGLE BENCH (4)

(2)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (CG)

WRIT PETITION (S) NO.7239 /2006

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA,

PETITIONER — Vijay Prasad Gavel, aged about 41 years, son of Shri Joedha Prasad Gavel, Upper Division Teacher, Government Tribl Girls Higher Secondary School, Dharamjaigarh, Distt. Raigarh (C.G.)

P.R. No. 23426 Presented by Sh. ANBhicks dated 23/12/06

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through – Secretary, Department of Tribal Welfare, Dau Kalyan Singh Bhawan, Raipur (C.G.)
2. The Assistant Commissioner, Deptt of Tribal Welfare, Distt. Raigarh (CG)
3. The Principal, Government Tribal Girls Higher Secondary School, Dharamjaigarh, Distt. Raigarh (CG)

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XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P.(S) No. 7239/06

मामला क्रमांक ..... सन् 200

(21)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	3-1-2007 Mr. A.N.Bhakta, Mr. Ajay Shrivastava, Mr. Anil Singh Rajput, Mr. B.L.Dembra, Mr. Vijay K. Deshmukh and Mr. Ashwani Shukla, counsel for the petitioner(s). Mr. Arun Sao, Government Advocate, Mr. Sushil Dubey, Government Advocate and Ms. Sunita Jain, Panel Lawyer for the State/respondents. With the consent of learned counsel appearing for the parties, the matter is heard finally and disposed of. Common order dictated in Writ Petition (S.) No.7237 of 2006 in open Court, passed separately. A copy of this order be placed on the record of the connected writ petitions. **Sd/-** **Satish K. Agnihotri** **Judge**	

Gopal

P.T.O.

(18)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.7237 OF 2006

Petitioner : Kishore Kumar Ghosh

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7238 OF 2006

Petitioner : Phelix Kumar Lakda

versus

Respondents : State of Chhattisgarh and another

WRIT PETITION (S.) NO.7239 OF 2006

Petitioner : Vijay Prasad Gavel

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7246 OF 2006

Petitioner : Lakhan Lal Sao

Versus

Respondents : State Govt. of Chhattisgarh and others

(19)

WRIT PETITION (S.) NO.7247 OF 2006

Petitioner : Shankar Lal Soni

versus

Respondents : State Govt. of Chhattisgarh and others

WRIT PETITION (S.) NO.7255 OF 2006

Petitioner : Bhuwan Lal Sahu

versus

Respondents : The State Government of Chhattisgarh and another

WRIT PETITION (S.) NO.7256 OF 2006

Petitioner : Smt. Sandhya Sahu

versus

Respondents : The State Government of Chhattisgarh and another

WRIT PETITION (S.) NO.7257 OF 2006

Petitioner : Ramakant Chandrakar

versus

Respondents : The State Government of Chhattisgarh and another

(20)

WRIT PETITION (S.) NO.7258 OF 2006

Petitioner : Tameshwar Prasad Dewangan

Versus

Respondents : The State Government of Chhattisgarh and another

WRIT PETITION (S.) NO.7259 OF 2006

Petitioner : Ghanshyam Singh Deshmukh

versus

Respondents : The State Government of Chhattisgarh and another

WRIT PETITION (S.) NO.7260 OF 2006

Petitioner : Bhuvneshwar Prasad Chandrakar

versus

Respondents : The State Government of Chhattisgarh and another

WRIT PETITION (S.) NO.7261 OF 2006

Petitioner : Jay Kumar Patil

versus

Respondents : The State Government of Chhattisgarh and another

(21)

WRIT PETITION (S.) NO.7262 OF 2006

Petitioner : Aarti Ram Sahu

versus

Respondents : The State Government of Chhattisgarh and another

WRIT PETITION (S.) NO.7263 OF 2006

Petitioner : Lal Singh Dhankar

versus

Respondents : The State Government of Chhattisgarh and another

WRIT PETITION (S.) NO.7264 OF 2006

Petitioner : Vishnu Prasad Deshmukh

versus

Respondents : The State Government of Chhattisgarh and another

WRIT PETITION (S.) NO.7296 OF 2006

Petitioner : Shekh Arman Musalman

versus

Respondents : State Govt. of Chhattisgarh and another

(22)

WRIT PETITION (S.) NO.7297 OF 2006

Petitioner : Arjun Singh Sahu

versus

Respondents : The State Government of Chhattisgarh and another

WRIT PETITION (S.) NO.7298 OF 2006

Petitioner : Hari Shankar Sahu

versus

Respondents : The State Government of Chhattisgarh and another

WRIT PETITION (S.) NO.7299 OF 2006

Petitioner : Rameah Kumar Barle

versus

Respondents : The State Government of Chhattisgarh and another

WRIT PETITION (S.) NO.7300 OF 2006

Petitioner : Smt. Budhantin Bai Netam

versus

Respondents : The State Government of Chhattisgarh and another

(23)

WRIT PETITION (S.) NO.7249 OF 2006

Petitioner : Govind Prasad Soni

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7250 OF 2006

Petitioner : Lekh Ram Sahu

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7251 OF 2006

Petitioner : Smt. Nishi Sharva

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.7252 OF 2006

Petitioner : Yogeshwar Prasad Ganguly

versus

Respondents : State of Chhattisgarh and others

(24)

WRIT PETITION (S.) NO.7278 OF 2006

Petitioner : B.K.Sharma .

versus

Respondents : The State of Chhattisgarh and others

WRIT PETITION (S.) NO.7279 OF 2006

Petitioner : D.R.Barange

versus

Respondents : The State of Chhattisgarh and others

WRIT PETITION (S.) NO.7280 OF 2006

Petitioner : Dwarika Prasad Ratnakar

versus

Respondents : State of Chhattisgarh and others

Present : Mr. A.N.Bhakta, Mr. Ajay Shrivastava, Mr. Anil Singh Rajput, Mr. B.L.Dembra, Mr. Vijay K. Deshmukh and Mr. Ashwani Shukla, counsel for the petitioner(s).

Mr. Arun Sao, Government Advocate, Mr. Sushil Dubey, Government Advocate and Ms. Sunita Jain, Panel Lawyer for the State/respondents.

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(25)

ORDER

(Passed on 3rd Day of January, 2007)

Learned counsel appearing for the petitioners as also for the State/respondents jointly submit that the facts and question of law involved in the present batch of writ petitions are squarely covered by the decision of this Court in the case of ***Yashwant Kumar Bharadwaj*** **vs.** ***Municipal Corporation, Durg and another***[1] .

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** **vs.** ***The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on 15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (*Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another*) (Supra).

3. For the aforementioned reasons, the writ petitions are disposed of in terms of the decision of this Court in the matter of *Yashwant Kumar Bharadwaj* (Supra), subject to verification of the fact as to whether the petitioners have acquired B.Ed./B.T.I./D.Ed. Certificates at their own expenses as per the circulars dated 24-12-

1998 and 1-3-1999 and further whether they have been paid two advance increments or not. No order as to costs.

4. A copy of this order be placed on the record of the connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

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Gopal